

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MMAS RESEARCH LLC, a Washington
limited liability company,

Plaintiff,

v.

THE CHILDREN'S HOSPITAL
CORPORATION, et al.,

Defendants.

Case No. 1:24-cv-12108-DJC

NOTICE OF SUPPLEMENTATION

Plaintiff respectfully submits this Notice of Supplementation to bring to the Court's attention certain supplemental matters of record that are relevant to pending matters. These materials are not reasonably in dispute and can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. In support of this Notice, Plaintiff identifies the following Exhibits for the Court's consideration:

EXHIBIT 1:

Affidavit of Service for F. Christopher Austin as a defendant in the case *MMAS Research LLC v. Johnson & Johnson Innovative Medicine Inc., et al.*, Case No. 2:25-cv-01057, currently pending in the United States District Court for the Central District of California. Notably, Attorney Austin is also serving as pro hac vice counsel for Defendants MMAR and Donald Morisky in the instant case, while being named a defendant in the aforementioned California litigation.

EXHIBIT 2:

Affidavit of Service for Donald Morisky in the same California case (*MMAS Research LLC v. Johnson & Johnson Innovative Medicine Inc.*, Case No. 2:25-cv-01057, pending in the Central

District of California). Mr. Morisky is also a named defendant—currently in default—in the instant matter pending before this Court. He is represented in this action by Attorney F. Christopher Austin, who has been admitted pro hac vice.

EXHIBIT 3:

A motion entitled “Defendants’ Motion to Extend the Discovery Deadlines” (Dockets 36, 37, and 42) was filed in a case captioned *Adherence v. CVS Health Corporation et al.*, in the Federal District Court for the District of Nevada, Case No. 2:24-cv-01590-JCM-NJK, where Attorney Austin is counsel for Plaintiff Adherence (d/b/a MMAR). In the motion, Attorney Austin claims “excusable neglect” for noncompliance with a discovery scheduling order because he was unable to produce an expert report by the agreed-upon discovery deadline. (Austin stated in Exhibit 3 that this was because he had switched law firms and was establishing a contingency fee agreement with Morisky). Because Austin misstated to that court both the basis for the excusable neglect and that the defendant (CVS) agreed not to oppose extending the discovery deadline (which defendant CVS did oppose), the Nevada court vacated its order to extend discovery by its Order at Docket 37.

EXHIBIT 4:

A copy of Defendant The Children’s Hospital Corporation’s now-withdrawn filing, titled “Hospital Defendants’ Response to Motion to Dismiss” (ECF 56). In this filing, BCH appears to admit to altering attribution text on a government website in response to threats from Dr. Morisky’s attorneys, potentially implicating a violation of 17 U.S.C. § 1202 (DMCA Section 1202).

Plaintiff respectfully submits these materials to provide a factual foundation relevant to the Court’s consideration of pending matters.

Respectfully submitted,

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By: /s/ Ashkon Roozbehani

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MMAS Research LLC

Dated: April 11, 2025